



California Fair Political Practices Commission

June 30, 1988

Beverly A. Cannon
P.O. Box 32
Lakehead, CA 96051-0032

Re: Our File No. G-88-249

Dear Ms. Cannon:

We have received your letter concerning refund of 1986 license fee surcharges for mobilehomes. The Fair Political Practices Commission has no authority to assist you in this matter.

The Commission is responsible for administering and enforcing the Political Reform Act (Government Code Sections 81000-91011). The Political Reform Act governs financial disclosure by political campaigns and lobbyists, as well as conflicts of interest in governmental decisionmaking, but it is not applicable to your question about the refund of the mobilehome fees.

For your information, SB 1770 of the 1985-86 Legislative Session was not enacted into law. Enclosed is a copy of the current law.

Sincerely,

Diane M. Griffiths
General Counsel

Kathryn E. Donovan
By: Kathryn E. Donovan
Counsel, Legal Division

DMG:KED:plh

June 21, 1988

State Fair Political
Practices Commission
428 J Street, Suite 800
P.O. Box 307
Sacramento, California 95804

JUN 23 1988

re: Refund of mobilehome 1986 license fee
surcharge to private property mobile-
home owners

Gentlemen:

I am writing in regards to the \$5 fee per each transportable section of a mobile home that was added, beginning in 1986, to the annual registration fee of every mobile home owner, both those residing on private property and those in mobile home parks. This surcharge, collected from every mobile home owner, was to be used to finance a new state program set up to provide loans to organizations of mobile home park tenants so they could purchase parks that otherwise would be closed (Park Purchase Fund).

As a result of much protest to this fee by mobilehome owners on private land, we were given an exempt status the two following years, in 1987 and 1988. In 1989, the assessment program, itself, is to be discontinued. Meanwhile, our money which was collected in 1986 was not given back nor were we given any credit.

Since we should never have been made subject to that kind of assessment in the first place (it wasn't to have benefitted the mobile home owners on private land), I think we should be entitled to a refund of that additional money we were made to pay in 1986. I'm sure you will agree that the monies collected from the private land mobile owner segment, in fact, additionally fattened the pot enough to obviously have made it a temptation to not return the money nor to be given credit as we should have been, as outlined in Senate Bill 1770. Why should this state program be allowed to feed on that money which was, to begin with, improperly assessed and is not rightfully due them, if I interpret SB 1770 correctly?

I intend to write letters or whatever else it takes to get this matter attended to.

If some effort is not made to refund the people their money, I certainly will attempt to bring this situation to public light.

Copies of pertinent items are enclosed, including a copy of Senate Bill 1770.

I would most appreciate your reply.

Sincerely,

Beverly A. Cannon

Beverly A. Cannon
P.O. Box 32
Lakehead, Calif. 96051-0032

May 5.
1988

Dept. of Housing and
Community Development
Division of Codes and Standards
Manufactured Housing Section
P.O. Box 1979
Sacramento, Calif. 95801

Gentlemen:

When do we get our \$5.00 back
which we had to pay the first year
that the Park Purchase Fund went into
effect?

Since we were, and still are, a
mobilehome owner located on the same
private property (exempt status),
that first year's assessment, I feel, was
money that you had no business collecting
from us in the first place and should
now be refunded.

I would appreciate your prompt
response.

Sincerely,

Beverly A. Cannon
P.O. Box 32
Lakehead, Calif.

mobilehome

serial # CAFL 1A924202476

deal # SU 5378

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

DIVISION OF CODES AND STANDARDS - Registration & Titling Section

P.O. Box 2111, 6007 Folsom Blvd., Sacramento, CA 95810-2111

1-800-952-8356 or 916-323-9224



5-20-88

File#: Info Ltr

. Beverly A Cannon
. P.O. Box 32
. Lakehead Ca. 96051

Decal#: 845378
Serial#: CAFX1A924202476
Make: Broadmore

Dear Mrs. Cannon

This Department has received your request for a Mobilehome Park Purchase Fund Fee Exemption, ~~form #476.6e.~~

This exemption form will be mailed along with your Registration Renewal Billing Notice. Any Statements of Facts claiming exemption that are received by themselves prior to receipt of the transaction on which the Park Purchase Fee is due, will be returned.

NOTE: There are no provisions for credit, refund or exemption of any Mobilehome Park Purchase Fund fee that was paid prior to January 1, 1987.

Sincerely

Ramona Mills
Transaction Processing Manager

RM:

Introduced by Senators Craven and Bergeson
(Principal coauthors: Assembly Members Kelly and
Stirling)
(Coauthor: Assembly Member ~~Kelley~~ Isenberg)

February 10, 1986

An act to amend Section 18114.1 of the Health and Safety Code, relating to registration fees and manufactured housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 1770, as amended, Craven. Mobilehome and manufactured housing registration fees.

Under existing law, an annual registration fee of \$11 is required for each transportable section of a manufactured home, mobilehome, or commercial coach subject to registration. An additional fee of \$5, which will be repealed on January 1, 1989, is imposed on each transportable section of a manufactured home or mobilehome subject to registration.

This bill would exempt from the \$5 fee each transportable section of a manufactured home or mobilehome located on a private parcel owned by the registered owner of the manufactured home or mobilehome, if the owner provides documentation or a written statement, signed under penalty of perjury, which establishes to the satisfaction of the Department of Housing and Community Development that the manufactured home or mobilehome is located on a private parcel.

If the department is satisfied by the documentation or written statement that the manufactured home or mobilehome is located on a private parcel, the department would be required to credit the owner on the 1987 \$11 renewal fee for the \$5 fee imposed for the 1986 registration

year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 18114.1 of the Health and Safety~~

2 ~~SECTION 1. Section 18114.1 of the Health and Safety~~

3 ~~Code is amended to read:~~

4 18114.1. (a) In addition to the annual registration fee
5 required by Section 18114, an annual fee of five dollars
6 (\$5) shall be paid to the department at the time of
7 registration or renewal for each transportable section of
8 a manufactured home or mobilehome registered
9 pursuant to this part. All revenues derived from this fee
10 shall be deposited in the Mobilehome Park Purchase
11 Fund provided for in Chapter 11 (commencing with
12 Section 50780) of Part 2 of Division 31.

13 (b) Any transportable section of a manufactured
14 home or mobilehome registered pursuant to this part and
15 located on a private parcel owned by the registered
16 owner of the manufactured home or mobilehome shall be
17 exempt from the fee imposed by subdivision (a), if the
18 owner provides documentation or a written statement,
19 signed under penalty of perjury, which establishes to the
20 satisfaction of the department that the manufactured
21 home or mobilehome is located on a private parcel.

22 (c) Where the department has received
23 documentation or a statement pursuant to subdivision
24 (b) and is satisfied that the manufactured home or
25 mobilehome is located on a private parcel owned by the
26 registered owner of the manufactured home or
27 mobilehome, the department shall also credit the owner
28 on 1987 renewal fees for the fee imposed by subdivision
29 (a) for the 1986 registration year.

30 ~~(b)~~

31 (d) This section shall remain in effect only until
32 January 1, 1989, and, except as provided in subdivision ~~(e)~~
33 (e), shall have no force or effect on or after that date,
34 unless a later enacted statute which is enacted before



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Sincerely,

Diane M. Griffiths
General Counsel

By: Kathryn E. Donovan
Counsel, Legal Division

DMG:KED:plh

Enclosed is a copy of the current law.

*new notice will be sent for already added into the
registration of the*

IMPORTANT NOTICE

Recent legislation added a \$5.00 fee to the annual registration fee required for each transportable section of your mobilehome. The revenue collected from the new fee will provide funds for mobilehome owners who wish to purchase their park and convert it to resident ownership. In many cases, resident ownership provides an effective way for residents to avoid mobilehome park closures.

If you desire additional information, you may write to:

Mobilehome Park Assistance Program
Department of Housing & Community Development
Community Affairs Division
921 Tenth Street, Sacramento, California 95814

HCD 479.3

Extra mobile assessment inequitable

William Macdonald was mad.

Macdonald, 82, retired 22 years ago after working for Standard Oil for 40 years. He was a company dispatcher in Richmond but retired to Paradise.

Twelve years ago, he and his wife, Ruth, purchased a double-wide, 50-foot-long mobile home and had it installed on their own lot in Paradise.

In January, Macdonald received his annual mobile home license renewal notice from the state. Attached to the notice was another notice from the Department of Housing and Community Development.

It informed Macdonald that he would have to pay an extra \$10 — \$5 for each of his mobile home sections — for each of the next three years.

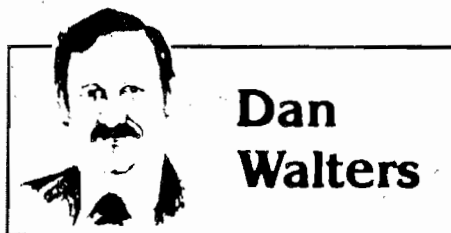
The money, the notice says, will finance a new state program to provide loans to organizations of mobile-home park tenants so they can purchase parks that otherwise would be closed.

The surcharge was imposed by legislation carried by Sen. William Craven, a San Diego County Republican, and passed by the Legislature and signed by Gov. George Deukmejian last year.

According to the legislative analyst's office, the three-year license fee surcharge will raise about \$7.2 million for the revolving loan program, which also receives money from other sources.

There's no question that a decline in mobile home parks poses a serious problem for their residents, many of whom have low and/or fixed incomes.

It's estimated that in 1984 alone, more than 90 mobile home parks closed in the state as their underlying land became more valuable for other purposes, especially in highly urbanized areas. Those closures displaced



Dan Walters

thousands of tenants.

But to Macdonald — and he is not alone in feeling that way — it is patently unfair to impose a special tax on mobile home owners, many of whom own their own lots, to help others acquire ownership of mobile home parks.

"I worked for 40 years for a company and saved what I could," he said. "It's not going to make me or break me but it's the principle of the thing. I think it's getting off base."

Macdonald and other mobile home owners not residing in parks complained loudly about the surcharge in letters to state officials. In one letter, Macdonald said, "I have never seen anything so raw in my lifetime . . ."

Macdonald makes a strong point. Even if mobile home park closures are a problem in California and even if there needs to be a loan program to deal with it, taxing a selective group not immediately affected or at fault is an odd way to approach it.

If there is a broad public interest in shoring up that kind of rental housing, then the burden should fall on every taxpayer, not just those who also happen to own mobile homes.

One could not imagine that the state would impose a surcharge just on renters to subsidize rental housing loan programs. The Republican legislators and Republican governor who

approved the mobile home program would never stand for that.

That Craven's bill passed is a testament to the fact that the Golden State Mobile Home Owners League has acquired some political clout in years.

The legislative analyst's office, meanwhile, is looking at the mobile home loan program and is recommending to the Legislature that it scale back approval of the revolving loan program so the state has a chance to see if it will work.

"It is important to note that the program has yet to be fully implemented," the analyst's office said in February.

A more equitable approach to mobile home park problems, it seems, is contained in another piece of Craven legislation that would allow the state to issue tax-exempt bonds to finance the construction of mobile home parks by tenants.

Gardena just concluded a public hearing on a controlled purchase program that threatened with closure a mobile home park that will be financed by tenants themselves through rental payments, retirement savings, and bond issue. Gardena sought the bonding authority for a mobile home park with mobile home park tenants.

The beneficiaries of the program are thus paying for it — hundreds of miles away from the connection is that he also is a mobile home owner.

There's a partial rectification of the situation on the way. By the way, E. Craven and the Mobile Home Owners League are pushing legislation to exempt non-park mobile home owners from the surcharge.

STATE HELPS MOBILEHOME PARK RESIDENTS HELP THEMSELVES

mobilehome park conversion—in which residents become park owners through a cooperative or condominium—is a way mobilehome park residents can reduce their housing costs. Recognizing that rising rents continue to be a problem for many people, especially for mobilehome park residents—many of whom are retirees, with moderate income—the state has acted to provide a source of funding for those who can help themselves.

The Mobilehome Park Assistance Program (MPAP) was created by AB 1008 (Minton) in 1983 to provide technical assistance to park residents or organizations owned by residents who wish to own and/or operate their mobilehome parks. In 1984, SB 1008 (Seymour) appropriated a \$3 million revolving loan fund designated as the "Mobilehome Park Purchase Fund", and added the financial assistance component to the program. Money from this fund provides low-interest loans to mobilehome park residents who wish to purchase their park. MPAP will offer low-interest loans to resident organizations to buy and/or

operate their mobilehome parks. Three types of loans will be available:

- *Conversions loans* to finance the purchase and conversion of a mobilehome park by a resident organization,
- *Blanket loans* to reduce the monthly housing costs for low-income residents in a resident owned/operated mobilehome park, and
- *Individual loans* to finance the purchase of a mobilehome park lot or space.

The loans will bear an interest rate of 7 percent per annum. Conversion loans must be repaid within three years, but blanket and individual loans may be amortized over 30 years.

The Department recently announced the availability of funds from the Mobilehome Park Purchase Fund and plans to issue awards from the initial appropriation in March 1986. MPAP is now able to provide financial and technical assistance to mobilehome park

residents who could not otherwise afford to purchase their park and provides the means for residents to avoid park closures while protecting a source of affordable housing in California.

In 1985 the Mobilehome Park Purchase Fund received another boost from legislation sponsored by the Golden State Mobilehome Owners League, Inc. SB 484 (Craven), which will add an additional \$2.5 million to the fund annually. The measure will add a \$5 fee for the next three years for each transportable mobilehome to the existing registration fee of \$11. The legislation becomes effective on January 1, 1986, and the Department is currently taking action to implement the new requirements by notifying mobilehome owners of the change in registration fees.

Mobilehomes and manufactured housing are a valuable source of affordable housing for many Californians. The Department is committed to preserving this type of housing and will continue to support measures that will protect this housing stock by providing park residents with the opportunity to help themselves. HCD

TE CREDIT, continued from page 2

CDBG funding will address some sort of gap in the firm's financial package and the exact definition of a gap will vary from project to project. In one case, it may mean a firm simply cannot secure, from any source, sufficient capital to meet its needs. In

- return on investment (net income after taxes to stockholders' equity).

The ratios are listed for specific kinds of firms using the same categories as the Standard Industrial Classification (SIC) code. Within each category, the information is listed for different firm sizes. PEHDC also relies on

financing packages which provided over 1099 new or retrained jobs statewide in 1985.

("Analyzing Private Credit Needs: A Necessary Skill" by Lawrence P. Malone, Deputy Director, Council of State Community Affairs Agencies (COSCAA) appeared in the September 1985 issue of *State CDBG Update* and is reprinted here in